

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TERRANCE LYNN BOTTS,

Petitioner,

v.

ROBIN KNAB, WARDEN,

Respondent.

**CASE NO. 2:11-CV-006
JUDGE SMITH
MAGISTRATE JUDGE KING**

OPINION AND ORDER

On February 23, 2011, the Magistrate Judge, acting pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases in the United States District Courts, construed Petitioner's request for discharge from unlawful custody as a petition for a writ of habeas corpus pursuant to 28 U.S.C. 2254; the Magistrate Judge also recommended that the petition be dismissed because the claims were unexhausted and offered no basis upon which to conclude that Petitioner's state court conviction was unconstitutional. *Report and Recommendation*, Doc. No. 6. Petitioner was advised of the right to object to the Magistrate Judge's *Report and Recommendation*. *Id.* Petitioner sought and was granted an extension of time in which to file objections. *Motion*, Doc. No. 9; *Order*, Doc. No. 10.

Rather than file an objection, however, Petitioner filed a document entitled "Notice to Agent Is Notice to Principle [sic] Notice to Principle [sic] Is Notice to Agent." Doc. No. 11. The document makes no specific objection to any finding or recommendation by the Magistrate Judge. It is therefore not a proper objection under Rule 72(b)(2) of the Federal Rules of Civil Procedure, which provides in pertinent part:

Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.

This Court has conducted a *de novo* review of the findings and recommendations of the Magistrate Judge, *see* 28 U.S.C. § 636(b), and agrees with those findings and recommendations.

The *Report and Recommendation*, Doc. No. 6, is therefore **ADOPTED** and **AFFIRMED**.

This action is hereby **DISMISSED**.

The Clerk is **DIRECTED** to enter final judgment.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT